City of Lafayette
Public Meeting Agenda
City Council Special Meeting

Monday, August 11, 2008 **6:15 pm**
Lafayette Community Center, Manzanita Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. PUBLIC COMMENTS
5. CLOSED SESSION
   A. **Conference with Legal Counsel – Anticipated Litigation**
   **Initiation of Litigation pursuant to Government Code section 54956.9(c) (1 Case)**

   B. **Public Employee Performance Evaluation (Gov. Code section 54957)**
   **Title: City Manager**

6. ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
Public Meeting Agenda
City Council Regular Meeting
Creeks Committee Special Meeting
Redevelopment Agency Special Meeting

Monday, August 11, 2008 7:00 pm
Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

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1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ADOPTION OF AGENDA
5. PUBLIC COMMENTS
6. PRESENTATIONS
   A. **John Coleman, Director, East Bay Municipal Utility District**
   **Update on Water Shortage**
   Recommendation: Receive and file.

   B. **John Sutter, Member of the Board of Directors for the East Bay Regional Park District**
   **Renewal of Measure AA**
   Recommendation: Receive and file.

   ***Convene joint meeting***

   C. **Creeks Committee**
   **Goals and Accomplishments**
   Recommendation: Receive and file.

   ***Adjourn joint meeting***

7. OLD BUSINESS
8. STAFF REPORTS
   A. **Leah Greenblat, Transportation Planner**
   **Introducing Ordinance 577 Amending Section 8-8122 of Chapter 8-8 of the Lafayette Municipal Code to permit active and expeditious loading, unloading and delivery or pick up of property in any place marked as a loading zone.**
   Recommendation: Introduce Ordinance 577 and continue to September 8th for second reading and adoption.

   B. **Cathy Surges-Moscato, Community Services Officer**
   **Introducing Ordinance 579 Repealing Chapter 56-4 of the Contra Costa County Code Entitled "Solicitors and Peddlers" and adding Chapter 4-4 of the Lafayette Municipal Code Entitled "Solicitors, Peddlers and Canvassers".**
   Recommendation: Introduce Ordinance 579 and continue to September 8th for second reading and adoption.

9. PUBLIC HEARINGS
   A. **MS504-87CCII – ROBIN AND KRIS LEAMY (APPLICANTS & OWNERS), R-40 ZONING**: Request for a minor subdivision to divide 19.23 acres into three lots for residential

development pursuant to Chapter 6-20 and Chapter 6-30 of the Lafayette Municipal Code (LMC), located at 4123 Happy Valley Road, APN 247-010-019 and 020 ("Project"). City Council consideration of Resolution 2008-37 relating to the following: (1) adoption of environmental findings; (2) certification of a supplement to the environmental impact report; (3) adoption of a mitigation monitoring and reporting plan; and (4) approval of MS504-87CCII. Recommendation: Adopt City Council Resolution 2008-37.

10. CONSENT CALENDAR
    A. **City Council Minutes**
        1. **July 14, 2008**
           Recommendation: Approve.
        2. **July 28, 2008**
           Recommendation: Approve.

    B. **Parks, Trails & Recreation Commission 2007-2008 Accomplishments and 2008-2009 Goals**
       Recommendation: Receive and file.

    C. **Final Acceptance PS 06-05, Embankment Stabilization Pleasant Hill Road North of Rancho View Drive – Federal Aid Project ER-4433 (010)**
       Recommendation: Accept Project PS 06-05, Embankment Stabilization Pleasant Hill Road as complete and authorize staff to file a Notice of Completion.

    D. **Administrative Regulation 524-Green Purchasing Policy**
       Recommendation: Approve Administrative Regulation 524.

    E. **Award of Contract PS 06-06; Embankment Stabilization St. Mary's Road Near Wallabi Court, Federal Aid Project ER-4433 (011)**
       Recommendation: Award Contract PS 06-06 to Jim Freethy Excavating, Inc. in the amount of $91,087.

    F. **Resolution 2008-39 adopting the Contra Costa County Urban Limit Line (ULL) as Lafayette's ULL for the purposes of compliance with Measure J to establish a voter-approved ULL**
       Recommendation: Adopt Resolution 2008-39.

    G. **Settlement Agreement between Bruzzones' and the City of Lafayette regarding challenges to the City's Hillside Ordinance, General Plan Update, and General Plan EIR**
       Recommendation: Authorize the mayor to execute the Bruzzone Settlement Agreement.

       ***Convene Redevelopment Agency***

    H. **Agreements with Brian Goggin and Kana Tanaka for the Library public art projects**
       Recommendation: Approve and authorize the Executive Director to execute the agreements.

       ***Adjourn Redevelopment Agency***

11. COUNCIL/COMMISSION REPORTS
    A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

B. **Mayor Anderson and Councilmember Andersson**
**Appointing one new member to the Design Review Commission**
Recommendation: Adopt Resolution 2008-38 appointing one new member to the Design Review Commission.

C. **Vice Mayor Tatzin and Councilmember Andersson**
**Appointing one new member to the Emergency Preparedness Commission**
Recommendation: Adopt Resolution 2008-40 appointing one new member to the Emergency Preparedness Commission.

12. WRITTEN COMMUNICATIONS

13. ADJOURNMENT to the next regularly scheduled meeting.

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

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# City of Lafayette
# General Information for Public Meetings

**Location of Agendas and Agenda Packets:** Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting. Agendas and staff reports are also available on the city website www.ci.lafayette.ca.us .

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 299-3210 at least 48 hours before the meeting, if possible.

**Board1 Discussion:** In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

**Persons Wishing to Speak:** Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

**Public Comments on Agenda Items:** Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

**Public Comments on Non-Agenda Items:** Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

**Time Limit on Comments:** Persons will be permitted to speak for up to three minutes.

**Posted Times:** Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

**Reconsideration of Items:** After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 17-95.

**Consent Calendar:** All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

**Notice Requirements:** Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

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1 "Board" is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.